

REMARKS

Status of the Claims

Claims 13-22 were pending, claims 13 and 16 being independent.

Claim 23 and 24 are new.

Claims 16 and 17 have been cancelled.

Claim 13, 14, 18 and 19 are amended herein.

After the present amendment, claims 13-15 and 18-24 are pending, claims 13 and 24 being independent.

Objections to the Specification regarding Antecedent Basis

The Applicant has deleted the terms “compression segment” and “insertion segment” from the claims. Accordingly, the objections to specification are moot. Withdrawal of the objections is respectfully requested.

Rejection under 35 U.S.C. 112 second paragraph

The Examiner rejected claims 16-22 under 35 U.S.C. 112, second paragraph, due to a reciting of an “inward taper” of “the portion” in claim 16. Although the Applicants’ do not agree with the Examiner’s assertion regarding said claims, claim 16 has been amended to render the rejections moot. Withdrawal of the rejections is respectfully requested.

Rejections under 35 U.S.C. 102 and 103

Claims 13 and 15-22 were rejected under 35 U.S.C. 102(b) over U.S. Patent No. 6,491,697 to Clark (hereinafter “Clark”). Claim 14 was rejected under 35 U.S.C. 103 over Clark.

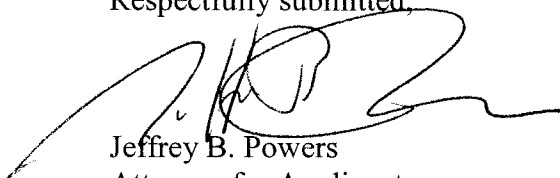
Claim 13 has been amended to more specifically recite an apparatus as described, for example, in paragraphs [0011] and [0025] of the present application. New claim 24 recites a corresponding method of insertion.

In particular, claim 13 recites “An injector comprising ... at least one slot extending from the open end through the second segment and the third segment, the third segment connected to the second segment at a transition point, the transition point characterized by a discrete change in taper.”

Clark does not disclose an inserter where such a transition point occurs along a slotted portion of a tip.

Withdrawal of the rejections of claims 13-15 and 18-22 is respectfully requested. Claims 16-17 have been cancelled.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. B. Powers', is written over the typed name.

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